

LAW OFFICES OF SCOTT L. TEDMON  
A Professional Corporation  
SCOTT L. TEDMON, CA. BAR # 96171  
717 K Street, Suite 227  
Sacramento, California 95814  
Telephone: (916) 441-4540

Attorney for Defendant  
ANDRES GARCIA LUGO

**FILED**

JAN 11 2006

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRES GARCIA LUGO, et al.,

Defendants.

Cr. No. S-03-0082 EJG

STIPULATION AND  
[PROPOSED] ORDER  
RE: STATUS CONFERENCE

C/LEO

The United States of America, through Assistant U.S. Attorney Mary L. Grad, and defendant Andres Garcia Lugo, through his counsel Scott L. Tedmon, hereby stipulate and agree as follows:

1. The indictment charges defendant Andres Garcia Lugo with one count of 21 U.S.C. §§ 846, 841(a)(1) - Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine and Cocaine. Additionally, the indictment charges defendant Andres Garcia Lugo with two counts of 21 U.S.C. § 843(b) - Use of a Communication Facility.

2. A status conference date is currently set for January 13, 2006, at 10:00 a.m before United States District Judge Edward J. Garcia. No trial date is set at this time.

3. The government has provided defense counsel with 694 pages of discovery along with CD's of wire interception recordings. After reviewing the discovery provided by the government and discussing the matter with the defendant, defense counsel needs additional time to complete his review of the discovery, conduct necessary pre-trial investigation as well as determine what pre-trial motions will be filed, if any. Further, it is anticipated the government will be providing some

1 additional discovery to the defense. Finally, counsel for the government and counsel for defendant  
2 Andres Garcia Lugo have met and conferred regarding a possible resolution in the case. Additional  
3 time is necessary for the parties to confer in an effort to resolve the case by way of a plea agreement.

4 4. Based on the foregoing, counsel for the government and counsel for defendant Andres  
5 Garcia Lugo request that the present status conference date be continued and a new status conference  
6 date be set for January 27, 2006 at 10:00 a.m. This date has been approved by Colleen Lydon.

7 5. Counsel for the government and counsel for defendant Andres Garcia Lugo stipulate that  
8 time be excluded through January 27, 2006, the date of the status conference, under the Speedy Trial  
9 Act for need of counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), Local Code T4.

10 Finally, Scott L. Tedmon has been authorized by counsel for the government to sign this  
11 stipulation on their behalf.

12 **IT IS SO STIPULATED.**

13 DATED: January 9, 2006

McGREGOR W. SCOTT  
United States Attorney

14 /s/ Mary L. Grad  
15 MARY L. GRAD  
Assistant U.S. Attorney

16 DATED: January 9, 2006

LAW OFFICES OF SCOTT L. TEDMON

17 /s/ Scott L. Tedmon  
18 SCOTT L. TEDMON  
Attorney for Defendant Andres Garcia Lugo

19 **ORDER**

20  
21 GOOD CAUSE APPEARING and based upon the above stipulation, it is hereby ordered that  
22 a status conference is set for January 27, 2006 at 10:00 a.m., before the Honorable Edward J. Garcia.  
23 Based upon the above stipulation, it is further ordered that time is excluded through January 27,  
24 2006, under the Speedy Trial Act for need of counsel to prepare pursuant to 18 U.S.C.  
25 §3161(h)(8)(B)(iv), Local Code T4.

26 **IT IS SO ORDERED.**

27 Dated: January 10, 2006

28   
EDWARD J. GARCIA  
Senior U.S. District Judge